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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
BAROT, BHARAT	
ART UNIT	**PAPER NUMBER**
2155	

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/611,996	MARBACH ET AL.	
	Examiner	Art Unit	
	Bharat N. Barot	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

RESPONSE TO AMENDMENT

1. Amended claims 1-20 remain for further examination.

The new grounds of rejection

2. Applicants' amendments and arguments with respect to claims 1-20 filed on June 30, 2005 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

4. This application has been filed with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims 1-20 contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 1-4, 7, 9, 11, 13-17, and 19 contain subject matter that object is an "object module human-machine interface application" not properly described in the application as filed.

Other dependent claims, which are not specifically cited above are also rejected because of the deficiencies of their respective parent claims.

Claim Rejections - 35 USC § 103 (a)

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 1-2, 5-9, 12-13, 17-20 are. Rejected under U.S.C. 103(a) as being unpatentable over Lewis et al (U.S. Patent No. 6,255,943).

9. Lewis teaches the invention substantially as claimed including a method and system for monitoring network devices by passing alarm objects from a monitoring server to a client application (see abstract).

10. As to claim 1, Lewis teaches a method of providing notification to an operator of a network having a server device and a network device located on the network, the method comprising the steps of: monitoring the network device by said server device (figures 2-8; and column 4 lines 30-60, Lewis discloses management servers 12 and 14 which pass objects in response to detected alarms in network devices); detecting a signal within said server device, said signal received from the network device (column 6 lines 35-65; and column 7 lines 55-65, Lewis discloses that alarm conditions in the form of events are detected)l; transmitting an object from said server device to a receiving device operably connected to the network for notifying the operator, the object being responsive to the signal (figures 2-8; and columns 6-7, Lewis discloses that an object is transmitted to a client application in response to detected events).
Lewis does not explicitly teach the limitation of an intelligent automation device.
Lewis does teach that a management server is used to pass objects to client applications in response to detected network events (figures 2-4; and columns 6-8).
It would have been obvious to one of ordinary skill n the art at the time of the invention to modify Lewis by specifying the management server as an intelligent automation device since the same functionality of automatically monitoring network devices is achieved.

11. As to claim 2, Lewis teaches the method of claim 1 wherein the receiving device comprises means for displaying the object (figures 5-8; and column 8 lines 25-65).

12. As to claim 5, Lewis teaches the method of claim 1 wherein the management server device is a programmable logic controller (columns 6-8).

13. As to claim 6, Lewis teaches the method of claim I further including transmitting a response to the management server device (column 13 lines 20-45).

14. As to claim 7, Lewis teaches a notification system for a network having a network device located on the network, the notification system comprising: a detector for monitoring the network device, the detector being operably connected to the network; a management server device operably connected and responsive to the detector, the management server device having an object', and a receiving device operably connected to the automation network, wherein the management server device transmits the object to the receiving device to notify the operator (figures 2-8; and column lines 35-60, Leis discloses management servers 12 and 14 which pass objects in response to detected alarms in network devices).
Lewis does not explicitly teach the limitation of an intelligent automation device.
Lewis does teach that a management server is used to pass objects to client applications in response to detected network events (figures 2-4; and columns 6-8).
It would have been obvious to one of ordinary skill n the art at the time of the invention to modify Lewis by specifying the management server as an intelligent automation device since the same functionality of automatically monitoring network devices is achieved.

Lewis fails to teach the claimed limitation of a "sensor".

Lewis does teach that detector servers receive and report alarms to the alarm notification manager (column 4 lines 40-60).

It would have been obvious to on one of ordinary skill in the art at the time of the invention to modify Lewis by specifying the detector server devices as sensor devices since the same functionality of detecting errors is achieved.

15. As to claim.8, Lewis teaches the notification system of claim 7 wherein the receiving device comprises a software module t6 interact with the management device (figures 2-17; and columns 6-9).

16. As to claim 9, Lewis teaches the notification system of claim 7 wherein the receiving device has means for displaying the object (figures 22-17; and columns 6-8).

17. As to claim 12, Lewis teaches the notification system of claim 7 wherein the server management device is a programmable logic controller (columns 508).

18. As to claim 13, Lewis teaches the system of claim 7 above.

Lewis fails to teach the limitations wherein the object is an XML object.

However, "Official Notice" is taken that the concept and advantages of using XML objects is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lewis by specifying XML objects. One would be motivated to do so to provide an extremely simple dialect of SGML suitable for use on the World-Wide Web.

19. Claims 17-20 do not teach or define any new limitations above claims 1-13, and 15 and therefore are rejected for similar reasons.

20. Claims 3-4, 10-1 1, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis further in view of Mukaiyama et al (U.S. Patent No. 6,631,407)

21. As to claim 3, Lewis teaches the method of claim 2. Lewis fails to teach the limitation wherein the means for displaying the object is a web browser.
However, Mukaiyama teaches a device management network that uses Java applet technology to report network-detected events (see abstract). Mukaiyama teaches using a browser to display an object in a network-monitoring environment (column 5 lines 20-25).
It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lewis by specifying a browser in place of the client application to monitor network faults. One would be motivated to do so to allow for global monitoring of network faults using the Internet.

22. As to claim 4, Mukaiyama teaches the method of claim 3. Lewis fails to teach the limitation wherein the wherein the object is a Java-like program.
However, Mukaiyama teaches a device management network that uses Java applet technology to report network-detected events (see abstract). Mukaiyama teaches using a Java-like program to display network faults in a network-monitoring environment (column 5 lines 20-25).
It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lewis by specifying a java applet object as the reported object in Lewis. One would be motivated to do so to allow for real-time monitoring of network faults using the Internet.

23. Claims 10-11 do not teach or define any new limitations above claims 3-4 and therefore are rejected for similar reasons.

24. As to claim 15, Lewis teaches the system of claim 7 above. Lewis fails to teach the limitation wherein the wherein the object is an HTML object.
However, Mukaiyama teaches a device management network that uses Browser technology to report network detected events (see abstract). Mukaiyama teaches using a HTML objects to display network faults in a network-monitoring environment (column 5 lines 20-25).

It would have been obvious to one of ordinary skill in the ad at the time of the invention to modify Lewis by specifying a HTML object as the reported object in Lewis. One would be motivated to do so to allow for global monitoring of network faults using the Internet.

25. Claims 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis further in view of Lee al el (U.S. Patent No. 6,336,137).

26. Lewis teaches the invention substantially as claimed including a method and system for monitoring network devices by passing alarm objects from a monitoring server to a client application (see abstract).

27. As to claims 14, and 16, Lewis teaches the method of claim 7. Lewis fails to teach the limitation wherein the object is a wireless application protocol (WAP) and where the object is a WML language.

However, Lee teaches a network having clients communicate with a server over a wireless network (see abstract). Lee teaches communicating using a wireless application protocol (WAP) and where the object is a WML language (column 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lewis in view of Lee so that a wireless application protocol (WAP) and WML language objects are used for communications. One would be motivated to do so to allow wireless or thin clients efficient communication with a server.

Response to Arguments

28. Applicant's arguments with respect to claims 1-20 filed on June 30, 2005 have been fully considered but they are not deemed to be persuasive for the claims 1-20.

29. In the remarks, the applicant argues that:

Argument: Lewis does not teach or suggest sending/receiving an "object module human-machine interface application" as claimed in the independent claims as amended.

Response: The argument toward rejection is not persuasive and rejection stands.

The pages 1-6 of the originally filed specification does not teach or disclose the limitation "object module human-machine interface application" added by the amendment (amendment filed on June 30, 2005); therefore, the cited reference to Lewis is teaching the claimed invention (limitations), rendering the rejection proper, and rejection stands.

Argument: Lewis fails to disclose or suggest the method of claim 1.

Response: The argument toward rejection is not persuasive and rejection stands.

Lewis discloses or suggests the method of claim 1 without the amended limitation (see rejection of claims 1).

30. Applicant's amendment necessitated the new grounds of rejection. Accordingly, THIS ACTION IS MADE FINAL. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Bharat Barot

BHARAT BAROT
PRIMARY EXAMINER

Patent Examiner Bharat Barot

Art Unit 2155

September 07, 2005